



IN THE U.S. PATENT AND TRADEMARK OFFICE

Appl. No. : 09/672,363
Applicant : Juhnyoung Lee
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Examiner : Patrice L. Winder

Docket No. : YOR920000674US1
Customer No. : 29683

Title : Business Method and User Interface for Presenting Business Analysis Information Side-By-Side with Product Pages of an Online Store

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPELLANT'S APPEAL BRIEF

Sir:

Commensurate with the Notice of Appeal filed on January 6, 2006, Applicant/Appellant (hereinafter, Applicant) hereby submits this Appeal Brief to the Board of Patent Appeals and Interferences (hereinafter, the Board) under 37 C.F.R.

§41.31. Please debit Deposit Account No. 50-0510 for the \$500 appeal brief fee set forth in 37 C.F.R. §41.20(b)(1). A petition for a one-month extension of time is enclosed. It is believed that no other extension of time fee is due. Should this belief be mistaken, please consider this a petition for an extension of time under 37 C.F.R. §1.136(a) or (b) that may be required to avoid dismissal of this appeal, and debit Deposit Account No. 50-0510 as appropriate.

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(1) REAL PARTY IN INTEREST

The real party in interest (RPI) is International Business Machines Corporation, as evidenced by an assignment of the U.S. application recorded on September 28, 2000, at reel 012623 and frame 0566.

(2) RELATED APPEALS AND INTERFERENCES

There are no other pending appeals or interferences of which the undersigned representative and assignee/RPI is aware that will directly affect, be directly affected by, or have a bearing on the Board's decision in this appeal.

(3) STATUS OF CLAIMS

Claims 1-29 are pending in this appeal, and are reproduced in an Appendix accompanying this Brief as those claims stood finally rejected by a final Office Action dated September 6, 2005.

(4) STATUS OF AMENDMENTS

No amendment to the claims was proposed subsequent to the Final Rejection.

(5) SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1 is directed to a computer interface (e.g., 103 and 105 of FIG. 1; 400 of FIG. 4) to an online store (e.g., 110 of FIG. 1, Amazon.com in FIG. 4). The computer interface includes one or more product pages (e.g., 115 in FIG. 1, the Amazon.com page in FIG. 4) that have product information (see the Amazon.com page in FIG. 4) about one or more products (e.g., the book "The Human Stain" in the

Amazon.com page in FIG. 4). The product information is obtained from the online store 110.

The computer interface also includes an analysis data window (e.g., 500 in FIGS. 1, 4, and 5) that has analysis data (e.g., 600, 700, 800 of FIGS. 5-8) about effectiveness of a respective one of the one or more product pages. A type of analysis data is determined automatically by determining a type of analyst (e.g., user 101) that uses the interface. The analysis data window is presented concurrently with and in proximity to the respective product page. See, e.g., FIG. 4.

Independent claim 11 is directed to a method (201 of FIG. 2). The method 201 includes the step of providing on a user interface one or more product pages that have product information about one or more products (202 of FIG. 2). The product information is obtained from an online store (204 of FIG. 2). The method includes providing on the user interface an analysis data window that has analysis data about effectiveness of a respective one of the one or more product pages (208 of FIG. 2). A type of analysis data is determined by a user that uses the interface (205 of FIG. 2). The analysis data window is presented concurrently with and in proximity to the respective product page. The user is in a user class and the type of analysis data being determined automatically by determining the user's user class. See, e.g., method 250 of FIG. 2A for an exemplary method of determining a user's user class.

Independent claim 27 is directed to a computer program embodied on a computer readable medium. The computer program comprises computer program instructions for directing at least one computer (102 of FIG. 1) to provide an interface to an online store. The computer program includes first computer program instructions for defining and managing product pages each containing product information concerning at

least one product of the online store. The computer program further includes second computer program instructions, responsive to stored analysis data that represents a historical record of use of the product pages by customers and potential customers of the online store and that indicates an effectiveness of the product pages, to display an analysis data window concurrently with and in proximity to a respective one of the product pages. A specific type of analysis data that is displayed in the analysis data window is determined automatically by determining a type of analyst that uses the interface.

(6) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A. The first grounds for rejection (Issue A) presented for review by the Board is whether claims 1-18 and 20-27 are obvious under 35 U.S.C. §103(a) by Ross et al., U.S. Patent No. 6,629,135 (hereinafter, Ross) in view of Leshem et al., U.S. Patent No. 5,870,559 (hereinafter, Leshem).

B. The second grounds for rejection (Issue B) presented for review by the Board is whether claims 19, 28, and 29 are obvious under 35 U.S.C. §103(a) by Ross and Leshem in further view of Gupta et al., U.S. Patent No. 6,226,752 (hereinafter, Gupta).

(7) ARGUMENT

ISSUE A

Claims 1-18 and 20-27 are evaluated with respect to the first grounds of rejection (Issue A).

Claims 1-10

Independent claim 1 is directed to a computer interface to an online store. The computer interface comprises one or more product pages that have product information about one or more products. The product information is obtained from the

online store. The computer interface also comprises an analysis data window that has analysis data about effectiveness of a respective one of the one or more product pages. A type of analysis data is determined automatically by determining a type of analyst that uses the interface. The analysis data window is presented concurrently with and in proximity to the respective product page. Applicant respectfully submits that the unique set of features in independent claim 1 is not disclosed or implied by the combination of Ross and Leshem.

The Examiner points to col. 8, lines 6-19 and col. 15, lines 36-47 of Ross as disclosing an analysis data window. Col. 8, lines 6-19 of Ross states the following:

“Reports

A merchant representative may request on-demand reports. Such reports include an account statement that details all payments to the merchant, and statistics about catalog visits and sales.

As illustrated in FIG. 25, a merchant representative begins at the Merchant Manager page 2300. She selects the view reports option 2505 to view the report menu page 2510. From the reports menu page 2510, she may enter criteria 2514, 2518 leading respectively to a revenue summary page 2520 or a monthly statement page 2530. From the monthly statement page 2530, she may change criteria 2535 to view a revised monthly statement 2530 or return to the report menu 2510.”

Ross, col. 8, lines 8-19. It is noted that this cited text from Ross appears in a section entitled “1. Merchant Manager” (a section from col. 6, line 8 to col. 11, line 57 of Ross) and therefore appears to be related to *merchants*. According to Ross, “[m]erchants are the producers, distributors, or resellers of the goods to be sold through the outsource provider.” Ross, col. 21, lines 50-51.

Meanwhile, col. 15, lines 36-47 of Ross states the following:

“Reports

A valid host representative will have on-demand access to a report showing visits to their links and sales. The report will be scoped by date range. Visits can be summarized by merchant and by link. Sales can be summarized by merchant and by link.

As illustrated in FIG. 21, a host representative begins at the Host Manager page 470. She selects the view reports option 2105 to view the report menu page 2110. From the reports menu page 2110, she may enter criteria 2114, 2118 leading respectively to a revenue summary page 2120 or a monthly statement page 2130.”

Ross, col. 15, lines 36-47. It is noted that this cited text from Ross appears in a section entitled “2. Host Manager” (a section from col. 11, line 57 to col. 15, line 4 of Ross) and therefore appears to be related to *hosts*. According to Ross, “[a] Host is the operator of a website that engages in Internet commerce by incorporating one or more link to the e-commerce outsource provider into its web content.” Ross, col. 22, lines 11-13.

However, Ross states that “a merchant representative **must login** before performing any system activities. Any **valid** merchant user will be able to perform all possible actions on the merchant to which it is related.” Ross, col. 6, lines 12-14 (emphasis added). If the “report” (described at col. 8, lines 6-41 of Ross) in Ross is considered to be an “analysis data window” for sake of argument (though Applicant disagrees with this), then Ross makes it clear through the previously cited material from Ross that a merchant representative would not even see a report if the merchant representative is not both logged in and a **valid** merchant representative.

Similarly, for hosts, Ross states “[a] **valid** host representative will have on-demand access to a report showing visits to their links and sales”. Col. 15, lines 37-38 of Ross (emphasis added). If the “report” in Ross is considered to be an “analysis data window” for sake of argument (though Applicant disagrees with this), then Ross makes it clear through the previously cited material from Ross that a requester would not even see a report if the requester is not both logged in and a **valid** merchant representative. See also

col. 11, lines 63-65 of Ross: “For a host to gain access to the host manager system, the host must be registered”. Thus, in the situation in Ross where an *invalid* host representative is found, no report and therefore no “analysis data window” or “analysis data” (as recited in independent claim 1) would be shown.

In the case in Ross where a *valid* merchant representative is found, there is no disclosure in Ross that “a type of analysis data [is] determined *automatically* by determining a type of analyst that uses the interface”, where “an analysis data window that has analysis data about effectiveness of a respective one of the one or more product pages” as recited in independent claim 1. Instead, it appears in Ross that “[w]hen a [merchant] representative logs in, she is taken directly to the Merchant Manager … and assigned a Merchant Session ID”. Ross, col. 4, lines 24-26. Further, “[a]ny valid merchant user will be able to perform all possible actions on the merchant to which it is related.” Ross, col. 6, lines 13-14. Ross does disclose that “[a] merchant *may request* on-demand reports.” Ross, col. 8, lines 7-8 (emphasis added). However, the valid merchant in Ross has to enter *manually* the criteria for the reports. See Ross at col. 8, lines 12-24 and FIG. 25 of Ross. Consequently, there is no disclosure in the Merchant Manager section of Ross that “a type of analysis data [in an analysis data window is] determined *automatically* by determining a type of analyst that uses the interface” as recited generally in independent claim 1.

Similarly, where a *valid* host representative is found, there is no disclosure in Ross that “a type of analysis data [is] determined *automatically* by determining a type of analyst that uses the interface” as recited in independent claim 1. Instead, it appears in Ross that “[w]hen a host logs in, *they are taken directly* to the Host Manager … and assigned a Host Session ID”. Ross at col. 12, lines 13-14 (emphasis added). Further, “[a] valid host representative will have on-demand access to a report showing visits to their

links and sales.” Ross at col. 15, lines 38-39. As with valid merchants, valid host representatives must *manually* enter criteria used in generating reports. See Ross at col. 115, lines 42-55. There is simply no disclosure that in the Host Manager section of Ross that “a type of analysis data [in an analysis data window is] determined *automatically* by determining a type of analyst that uses the interface” as recited generally in independent claim 1.

Applicant also cannot find disclosure in any other portion of Ross that “a type of analysis data [in an analysis data window is] determined *automatically* by determining a type of analyst that uses the interface” as recited generally in independent claim 1. Ross does state the following: “There are three main parties in the outsourced e-commerce relationship, excluding the end consumer. These parties include Merchants, Hosts, and the e-commerce outsource provider. This folds into two parties where one party plays the dual role of Host and Merchant.” Ross, col. 21, lines 43-47. Even if “one party plays the dual role of Host and Merchant” in Ross, Ross still requires this party to select *manually* the criteria for a report.

Thus, Ross does not disclose or imply a computer interface including “an analysis data window that has analysis data about effectiveness of a respective one of the one or more product pages,” where “a type of analysis data [is] determined automatically by determining a type of analyst that uses the interface”, as recited generally in independent claim 1.

As for Leshem, Applicant can find no disclosure or implication that the type of analysis data in a data analysis window is determined automatically by a type of analyst. For instance, Leshem states that “[f]rom the tools menu the use *can invoke* analysis and management related tools.” Leshem, col. 15, lines 66-67. Thus, Leshem

requires a user to take active steps to invoke analysis tools. As neither Ross nor Leshem disclose at least the subject matter in independent claim 1 of a computer interface including “an analysis data window that has analysis data about effectiveness of a respective one of the one or more product pages,” where “a type of analysis data [is] determined automatically by determining a type of analyst that uses the interface”, the combination of Ross and Leshem cannot disclose this subject matter.

Consequently, Applicant respectfully submits that independent claim 1 is patentable over the combination of Ross and Leshem. Therefore, dependent claims 2-10 are also patentable for at least the reasons given with respect to independent claim 1.

Claims 11-15 and 18

Claim 11 recites similar subject matter to the subject matter recited in independent claim 1. Therefore, independent claim 11 is patentable over the combination of Ross and Leshem for at least the reasons given above.

Furthermore, independent claim 11 further recites “providing on a user interface one or more product pages that have product information about one or more products, the product information obtained from an online store” and “providing on the user interface an analysis data window that has analysis data about effectiveness of a respective one of the one or more product pages, a type of analysis data determined by a user that uses the interface and the analysis data window presented concurrently with and in proximity to the respective product page, the user being in a user class and the type of analysis data being determined automatically by determining the user's user class.”

Applicant respectfully submits that the combination of Ross and Leshem does not disclose at least the subject matter of “the user being in a user class and the type

of analysis data [provided in an analysis data window] being determined automatically by determining the user's user class" in independent claim 11.

As described above, assuming a "report" in Ross is "an analysis data window" in independent claim 11 (which Applicant respectfully submits is not true), a valid merchant in Ross has to enter *manually* the criteria for reports. See Ross at col. 8, lines 12-24 and FIG. 25 of Ross. As also described above, valid host representatives must *manually* enter criteria used in generating reports. See Ross at col. 115, lines 42-55. As further described above, even if "one party plays the dual role of Host and Merchant" in Ross, Ross still requires this party to select *manually* the criteria for a report. Consequently, there is no disclosure in Ross that "the user [is] in a user class and the *type* of analysis data [provided in an analysis data window is] determined *automatically* by determining the user's user class", as recited generally in independent claim 11.

Applicant also submits that Leshem does not disclose the subject matter of "the user [is] in a user class and the *type* of analysis data [provided in an analysis data window is] determined *automatically* by determining the user's user class", as recited generally in independent claim 11. Therefore, the combination of Ross and Leshem does not disclose this recited subject matter from independent claim 11, and independent claim 11 is patentable over the combination of Ross and Leshem. Because independent claim 11 is patentable, dependent claims 12-15 and 18 are also patentable for at least the reasons given with respect to independent claim 11.

Claim 16

Claim 16 recites "A method, as in claim 15, where the analysis data window is produced by a software program that starts automatically when the user

requests the web browser page of a selected product.” The Examiner points to col. 14, lines 25-35 of Ross for asserted disclosure of the subject matter in claim 16. Col. 14, lines 21-35 of Ross states the following:

“From this page, the representative may choose among several options: view an existing link 722, remove an existing link 735, edit an existing link 728 or add a new link to either a merchant with whom a link already exists 720 or a merchant without an existing link 715. In viewing an existing link 722, the page containing the link *may /be* *optionally displayed* in a separate window 725; as a consequence, the representative could continue to interact with the list of available links page 710 in the primary window. The representative could select a link for removal 735 and, upon removal, return to the list of links page 710. The representative may choose to edit an existing link 728 leading to a link modification page 730. After modifying the link, the new link information would be saved 740, and the representative would return to the list of available links 710.”

Ross, col. 14, lines 25-35 (emphasis and the word “be” added). As can be seen by the recited text of Ross, a representative may choose to view a page containing a link 722. There is no indication in the cited text of Ross that “the analysis data window is *produced* by a software program that starts *automatically* when the user requests the web browser page of a selected product.”

Applicant also cannot find the recited subject matter of claim 16 in Leshem. As neither Ross nor Leshem disclose or imply the recited subject matter in claim 16, the combination of Ross and Leshem does not disclose or imply the recited subject matter. Consequently, dependent claim 16 is patentable over the combination of Ross and Leshem.

Claim 17

Dependent claim 17 recites “A method, as in claim 16, where the analysis data window software program automatically starts only when the user is a member of a

selected user class which affiliates with the online store.” As dependent claim 16 is patentable over the combination of Ross and Leshem, dependent claim 17 is also patentable.

Moreover, Applicant has reviewed the portions of Ross cited by the Examiner that the Examiner asserts discloses the subject matter in claim 17, and Applicant disagrees with the asserted disclosure. Col. 6, lines 16-22 of Ross states the following:

“An account for a merchant is established when the merchant registers with the system. A merchant representative may initiate registration via a web interface. The signup process must collect basic merchant information, including the information necessary to pay the merchant, and a password, which will be used to create a user account for the merchant. Once the merchant is approved (this may be automatic), the merchant will be sent an email containing a unique user id which can be used to login to the system.”

Ross, col. 6, lines 16-22. Col. 11, line 63 to col. 12, line 3 of Ross states the following:

“For a host to gain access to the host manager system, the host must be registered. FIG. 4 depicts a flow chart for a typical registration process. A host representative may initiate contact 410 with the system via a web interface. The signup process must collect basic host information 420, including the information necessary to pay the host a commission for purchases through his site, which is saved by the system 430.”

Ross, col. 11, line 63 to col. 12, line 3.

Neither of these sections of Ross appear to disclose or imply “where the analysis data window software program automatically starts only when the user is a member of a selected user class which affiliates with the online store” as recited in dependent claim 17. Further, Applicant cannot find disclosure or implication of the recited subject matter in Leshem.

As neither Ross nor Leshem disclose or imply the subject matter in dependent claim 17, the combination of Ross and Leshem does not disclose the subject matter in dependent claim 17, and dependent claim 17 is patentable over the combination of Ross and Leshem.

Claims 20-22

Claims 20-22 are patentable based at least on their dependency from claim 11 and for the reasons presented above with respect to claim 11. Regardless, claim 20 recites “A method, as in claim 11, further comprising a perusal step that automatically browses and filters a set of product pages and their analysis data based on a profile of the user.” The Examiner cites col. 6, lines 24-29, col. 12, lines 13-18, and col. 17, lines 55-59 of Ross as disclosing the subject matter of claim 20. Applicant respectfully disagrees.

Col. 6, lines 24-29 of Ross recites the following:

“When a representative logs in, she is taken directly to the Merchant Manager as seen in FIG. 9 and assigned a Merchant Session ID (Merchant SID). All pages within the merchant system must retrieve the MerchantSID from the HTTP request and validate it. If the session does not validate, the representative is taken back to the Login screen.” The cited sections of Ross do not disclose “a perusal step that automatically browses and filters a set of product pages and their analysis data based on a profile of the user”.

Ross, col. 6, lines 24-29. This cited text of Ross does not appear to disclose “a perusal step that automatically browses and filters a set of product pages and their analysis data based on a profile of the user” as recited in claim 20.

Col. 12, lines 13-18 of Ross recites:

“When a host logs in, they are taken directly to the Host Manager, as seen in FIG. 10, and assigned a Host Session ID (Host SID). All pages within the host system must request the Host Sid and call the

ValidateHostSessionID function. If the session does not validate, the user is taken back to the Login screen.”

Ross, Col. 12, lines 13-18. This cited text of Ross does not appear to disclose “a perusal step that automatically browses and filters a set of product pages and their analysis data based on a profile of the user” as recited in claim 20.

Col. 17, lines 55-59 of Ross recites:

The home/main page of the System Manager provides a quick summary of the current system status; a screen capture of a typical main page in a preferred embodiment is seen in FIG. 20. This summary includes pending orders, orders, host statistics, merchant statistics and an unattended orders list.

Ross, col. 17, lines 55-59. It is noted that “[t]he System Manager is the ‘Control Center’ for administrators.” There is nothing in this cited material that teaches or implies “a perusal step that automatically browses and filters a set of product pages and their analysis data based on a profile of the user” as recited in claim 20. For instance, in Ross there is no disclosure that the summary is automatically generated based on a profile of the administrator.

Applicant also cannot find disclosure of such a perusal step in Leshem, and therefore neither Ross nor Leshem disclose the subject matter in independent claim 20. Because neither Ross nor Leshem disclose the subject matter in independent claim 20, the combination of the two references does not disclose the subject matter in independent claim 20 and claim 20 is patentable over the combination of Ross and Leshem. As claims 21 and 22 depend from claim 20, claims 21 and 22 are therefore patentable over the combination Ross and Leshem for at least the reasons given with respect to claim 20.

Claim 23

As claim 23 depends from claim 20, and claim 20 has been shown to be patentable over the combination of Ross and Leshem, dependent claim 23 is patentable over the combination of Ross and Leshem.

Nevertheless, claim 23 recites “A method, as in claim 20, where the product page perusal step automatically retrieves *specified product pages* and the *respective analysis data* from the online store.” The Examiner points to col. 8, lines 35-41 of Ross as disclosing the subject matter in claim 23. Col. 8, lines 35-41 of Ross are as follows:

“Revenue Summary by Product

This report provides sales and traffic information summarized by Product. Data includes number of sessions, quantity in shopping cart and gross order amount.

All reports can be run as quick reports (this month, last month, this year, last year, all sales) or by inputting a specific date range.”

Ross, col. 8, lines 35-41. There is no disclosure or implication in the cited text of Ross that specified product pages and respective analysis data are retrieved, as recited generally in claim 23. Applicant also cannot find the subject matter of claim 23 in Leshem. Therefore, the combination of Ross and Leshem do not disclose the subject matter of claim 23 and claim 23 is patentable over the combination of Ross and Leshem.

Claim 24

With regard to claim 24, as claim 24 depends from claim 20, claim 24 is patentable over the combination of Ross and Leshem for at least the reasons given above with respect to claim 20. Regardless, claim 24 recites “A method, as in claim 20, where

the product page perusal step parses the content of retrieved product pages and the respective analysis data, and selects product pages that meet one or more criteria given by the user.” The Examiner cites col. 8, lines 36-41 and col. 16, lines 1-4 of Ross for purported disclosure of the subject matter in claim 24. Applicant respectfully disagrees.

The argument of claim 23 contains a reprinting of the material in Ross at col. 8, lines 36-41. Applicant submits that the subject matter of “where the product page perusal step … selects product pages that meet one or more criteria given by the user” in claim 24 is not disclosed or implied in col. 8, lines 36-41 of Ross.

Col. 16, lines 1-4 of Ross has a heading of “Revenue Summary by Link”, followed by the accompanying sentences: “This report provides sales and traffic information summarized by Link. Data includes number of sessions, number of orders, gross and net sales, etc.” There is no disclosure or implication in this recited section of Ross of the subject matter of “where the product page perusal step … selects product pages that meet one or more criteria given by the user” in claim 24.

Applicant also submits that the subject matter of “where the product page perusal step parses the content of retrieved product pages and the respective analysis data, and selects product pages that meet one or more criteria given by the user” is not disclosed or implied by Leshem. Therefore, the combination of Ross and Leshem does not disclose or imply the subject matter in claim 24, and claim 24 is patentable over the combination of Ross and Leshem.

Claim 25

With regard to claim 25, as claim 25 depends from claim 20, claim 25 is patentable over the combination of Ross and Leshem for at least the reasons given above

with respect to claim 20. Regardless, claim 25 recites “A method, as in claim 20, where the product page perusal step parses the content of retrieved product pages and the respective analysis data, and selects product pages that meet one or more criteria given by the user.”

The Examiner cites col. 8, lines 6-11 and 36-41 and col. 16, lines 1-4 of Ross for purported disclosure of the subject matter in claim 25. Col. 8, lines 36-41 and col. 16, lines 1-4 of Ross are shown *supra*. Col. 8, line 6 of Ross contains the heading “Reports” and lines 7-11 of Ross state the following: “A merchant representative may request on-demand reports. Such reports include an account statement that details all payments to the merchant, and statistics about catalog visits and sales. Statistics can be correlated to hosts, links, products and time periods.”

Nonetheless, there is no disclosure or implication in Ross of a “product page perusal step [that] creates a list of selected product pages that contains page name, analysis data summary, and hyperlink for each selected product page” as recited in claim 25. Applicant also cannot find disclosure or implication in Leshem of the subject matter in dependent claim 25.

Consequently, the combination of Ross and Leshem does not disclose or imply the subject matter in dependent claim 25 and dependent claim 25 is patentable over the combination of Ross and Leshem.

Claim 26

Claim 26, being dependent from claim 20 that Applicant submits is patentable over the combination of Ross and Leshem, is also patentable for at least the reasons given above with respect to claim 20. Nonetheless, claim 26 recites “A method,

as in claim 25, where the user can use the list of selected product pages created by the product page peruser program to manually examine product pages and their analysis data by using a web browser.”

As argued above with respect to claim 26, there is no list of selected product pages “that contains page name, analysis data summary, and hyperlink for each selected product page” as recited in claim 25 disclosed in or implied by Ross or Leshem or the combination thereof. Therefore, the subject matter in claim “where the user can use the *list of selected product pages* created by the product page peruser program to manually examine product pages and their analysis data by using a web browser” is also patentable over the combination of Ross and Leshem.

Claim 27

Claim 27 recites similar subject matter to the subject matter recited in independent claim 1. Therefore, independent claim 27 is patentable over the combination of Ross and Leshem for at least the reasons given above.

Furthermore, independent claim 27 further recites “first computer program instructions for defining and managing product pages each containing product information concerning at least one product of the online store” and “second computer program instructions, responsive to stored analysis data that represents a historical record of use of the product pages by customers and potential customers of the online store and that indicates an effectiveness of the product pages, to display an analysis data window concurrently with and in proximity to a respective one of the product pages, where a specific type of analysis data that is displayed in the analysis data window is determined automatically by determining a type of analyst that uses the interface.”

Applicant respectfully submits that the combination of Ross and Leshem does not disclose at least the subject matter of “where a *specific type of analysis data* that is displayed in the analysis data window *is determined automatically* by determining a type of analyst that uses the interface” of independent claim 27.

As described above, assuming a “report” in Ross is “an analysis data window” in independent claim 27 (which Applicant respectfully submits is not true), a valid merchant in Ross has to enter *manually* the criteria for reports. See Ross at col. 8, lines 12-24 and FIG. 25 of Ross. As also described above, valid host representatives must *manually* enter criteria used in generating reports. See Ross at col. 115, lines 42-55. As further described above, even if “one party plays the dual role of Host and Merchant” in Ross, Ross still requires this party to select *manually* the criteria for a report. Consequently, there is no disclosure in Ross of the subject matter of “where a *specific type of analysis data* that is displayed in the analysis data window *is determined automatically* by determining a type of analyst that uses the interface”, as recited generally in independent claim 27.

Applicant also submits that Leshem does not disclose the subject matter of “where a *specific type of analysis data* that is displayed in the analysis data window *is determined automatically* by determining a type of analyst that uses the interface”, as recited generally in independent claim 27. Therefore, the combination of Ross and Leshem does not disclose this recited subject matter from independent claim 27, and independent claim 27 is patentable over the combination of Ross and Leshem.

ISSUE B

Claims 19, 28, and 29 are evaluated with respect to the second grounds of rejection (Issue B).

Claims 19, 28, and 29

Dependent claim 19 recites “A method, as in claim 18, where the user class is examined by using a subfield of a ‘cookie’ that is attached to the request.” The Examiner asserts that Gupta at col. 12, lines 24-61 discloses the subject matter in dependent claim 19. Gupta states the following:

“Further, a cookie (or token) for the login server may be transmitted to the client's browser. By storing the cookie, the login server can easily determine if the client has been *previously authenticated* (e.g., by retrieving the cookie or token) and may not require the user to reenter necessary information (e.g., a username and password). If such a cookie (or token) is transmitted, one or more embodiments may set the cookie's (or token's) parameters to restrict the retrieval of the cookie (or token) to the login server domain and path.”

Gupta, col. 12, lines 52-61 (emphasis added). There is no disclosure or implication in the cited text from Gupta that “the *user class is examined* by using a subfield of a ‘cookie’ that is attached to the request” (emphasis added) as recited in claim 19. Applicant submits that neither Ross nor Leshem disclose the subject matter in dependent claim 19. Therefore, the combination of Ross, Leshem, and Gupta does not disclose the subject matter in dependent claim 19.

Dependent claim 19 is therefore patentable over the combination of Ross, Leshem, and Gupta. Dependent claims 28 and 29 recite similar subject matter to the subject matter in dependent claim 19. Specifically, dependent claim 28 recites “where the type of analyst is determined automatically by extracting data from a user information field of a cookie” and claim 29 recites “where the type of analyst is determined automatically by extracting data from a user class subfield of a cookie”. Therefore, claims 28 and 29 are also patentable for at least the reasons given with respect to dependent claim 19.

CONCLUSION

For at least the above reasons, the Applicant contends that the combination of Ross and Leshem does not render obvious claims 1-18 and 20-27 and that the combination of Ross, Leshem, and Gupta does not render obvious claims 19, 28, and 29. The Applicant respectfully requests the Board reverse the final rejection in the Office Action of September 6, 2004, and further that the Board rule that the pending claims are patentable over the cited art.

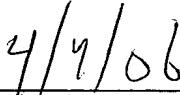
Respectfully submitted:

HARRINGTON & SMITH, LLP



Robert J. Mauri

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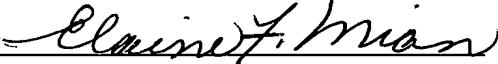


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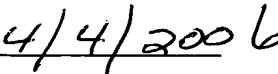
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Robert J. Mauri

Name of Person Making Deposit



4/4/2006

Date

(8) CLAIMS APPENDIX

1. A computer interface to an online store comprising:

one or more product pages that have product information about one or more products, the product information obtained from the online store; and

an analysis data window that has analysis data about effectiveness of a respective one of the one or more product pages, a type of analysis data being determined automatically by determining a type of analyst that uses the interface and the analysis data window presented concurrently with and in proximity to the respective product page.

2. An interface, as in claim 1, where the type of analyst includes any one or more of the following: an administrator, a marketer, a merchandiser, a Web designer, a store owner of the online store, a system analyst, a product analyst, and a sales analyst.

3. An interface, as in claim 1, where the analysis data window further comprises any one or more of the following types of analysis data: analysis data on one or more products on the product page, analysis data on one or more of the product pages, and analysis data on one or more components of one or more of the product pages.

4. An interface, as in claim 1, where the analysis data window comprises analysis data on one or more products on the product page and the analysis data comprises any one or more of the following: one or more conversion rates, one or more count measure conversion rates, one or more derived measure conversion rates, one or more sales measures, one or more dimensions, one or more time dimensions, one or more customer dimensions, one or more merchandising cue dimensions, one or more shopping metaphors, one or more product category dimensions, one or more basket placement counts, one or more purchase counts, one or more return counts, a ratio of purchases to number of basket placements, a ratio of number of returns to number of purchases, a sales value, a profit, an average price, and an average profit margin.

5. An interface, as in claim 1, where the analysis data window comprises analysis data on one or more product pages and the analysis data comprises any one or more of the following: one or more conversion rates, one or more count measure conversion rates, a number of impressions, a number of clickthroughs, one or more derived measure conversion rates, a number of clickthroughs per number of impressions, a number of basket placements per number of clickthroughs, a number of purchases per number of basket placements, a number of purchases per number of impressions, a number of purchases per number of clickthroughs, one or more sales measures, one or more dimensions, one or more time dimensions, one or more customer dimensions, one or more merchandising cue dimensions, one or more shopping metaphors, one or more product category dimensions, one or more basket placement counts, one or more purchase counts, a sales value, a profit, an average price, and an average profit margin.
6. An interface, as in claim 1, where the respective product page is a web browser page.
7. An interface, as in claim 6, where one or more components of the respective product page is a hyperlink to one or more other product web pages.
8. An interface, as in claim 7, where the one or more components of the Web browser page displaying the selected product are any one or more of the following: one or more products, product pages, hyperlinks, Web applications, and Web design features.
9. An interface, as in claim 8, where the Web applications are one or more of search, shopping cart placement, registration, checkout, mail to friend, wish lists, gift registries, calendars, custom-configuration of products, buyer's groups, chatting, e-mail notification, and in-context sales.
10. An interface, as in claim 8, where the Web design features are one or more of media type, font, size, color, and location.

11. A method comprising the steps of:

providing on a user interface one or more product pages that have product information about one or more products, the product information obtained from an online store; and

providing on the user interface an analysis data window that has analysis data about effectiveness of a respective one of the one or more product pages, a type of analysis data determined by a user that uses the interface and the analysis data window presented concurrently with and in proximity to the respective product page, the user being in a user class and the type of analysis data being determined automatically by determining the user's user class.

12. A method, as in claim 11, where the user class includes any one or more of the following: a customer, a merchant, a business analyst, a marketer, a merchandiser, an administrator, a programmer, and a Web designer.

13. A method, as in claim 11, where the user is registered to the online store by the user's role in the store.

14. A method, as in claim 11, where a selected one of the one or more product pages is a web browser page.

15. A method, as in claim 14, where the analysis data is presented in the analysis data window concurrently with and in proximity to the web browser page on the interface.

16. A method, as in claim 15, where the analysis data window is produced by a software program that starts automatically when the user requests the web browser page of a selected product.

17. A method, as in claim 16, where the analysis data window software program automatically starts only when the user is a member of a selected user class which affiliates with the online store.
18. A method, as in claim 11, where the user class of the user making a request to the online store is identified by the store before the analysis data window is provided on the interface.
19. A method, as in claim 18, where the user class is examined by using a subfield of a "cookie" that is attached to the request.
20. A method, as in claim 11, further comprising a perusal step that automatically browses and filters a set of product pages and their analysis data based on a profile of the user.
21. A method, as in claim 20, where the perusal step provides in the interface one or more criteria of filtering one or more product pages.
22. A method, as in claim 21, where the criteria of filtering is based on any one or more of the following: one or more attributes of the pages, one or more components of the pages, and one or more of the analysis data.
23. A method, as in claim 20, where the product page perusal step automatically retrieves specified product pages and the respective analysis data from the online store.
24. A method, as in claim 20, where the product page perusal step parses the content of retrieved product pages and the respective analysis data, and selects product pages that meet one or more criteria given by the user.

25. A method, as in claim 20, where the product page perusal step creates a list of selected product pages that contains page name, analysis data summary, and hyperlink for each selected product page.

26. A method, as in claim 25, where the user can use the list of selected product pages created by the product page peruser program to manually examine product pages and their analysis data by using a web browser.

27. A computer program embodied on a computer readable medium and comprising computer program instructions for directing at least one computer to provide an interface to an online store, comprising:

first computer program instructions for defining and managing product pages each containing product information concerning at least one product of the online store; and

second computer program instructions, responsive to stored analysis data that represents a historical record of use of the product pages by customers and potential customers of the online store and that indicates an effectiveness of the product pages, to display an analysis data window concurrently with and in proximity to a respective one of the product pages, where a specific type of analysis data that is displayed in the analysis data window is determined automatically by determining a type of analyst that uses the interface.

28. A computer program as in claim 27, where the type of analyst is determined automatically by extracting data from a user information field of a cookie.

29. A computer program as in claim 27, where the type of analyst is determined automatically by extracting data from a user class subfield of a cookie.

END OF CLAIMS

(9) EVIDENCE APPENDIX

There is no evidence submitted pursuant to 37 C.F.R. §§1.130, 1.131, or 1.132 or entered by the Examiner and relied upon by Applicant.

(10) RELATED PROCEEDING APPENDIX

There are no known decisions rendered by a court or the Board in any proceeding identified pursuant to paragraph (c)(1)(ii) of 37 C.F.R. §41.37.